

REMARKS

Claims 11, 12, 15, 16, and 28-39 are now pending in the application. Claims 15 and 16 are currently amended. Claims 2-5, 7-10, 14, and 17-27 are cancelled by this amendment. Claims 28-39 are newly added. No new matter has been added to the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

INTERVIEW SUMMARY

Applicant thanks the Examiner for the courtesies extended to Applicant's representative, Timothy D. MacIntyre, during the telephone interview conducted on May 3, 2010. During the interview, the Examiner indicated that the amendments contained herein would overcome the rejections under §112. Agreement was not reached as to the other issues discussed during the interview.

REJECTION UNDER 35 U.S.C. § 112

Claims 2, 3, 4, 15, 16, and 18 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Applicant has cancelled claims 2, 3, 4, and 18 thereby rendering the rejection moot as to these claims. Applicant has amended claims 15 and 16 as well as other corresponding claims as agreed upon during the interview. Accordingly, Applicant requests reconsideration and withdrawal of the rejection.

REJECTION UNDER 35 U.S.C. § 102

Claims 2, 3, 9, 18-20, and 27 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kasami et al. (U.S. Pub. No. 2002/0181492 A1; "Kasami"). In order to expedite prosecution of this application, applicant has cancelled claims 2, 3, 9, 18-20, and 27, thereby rendering the rejection moot as to these claims. Subject matter of these claims may be pursued in a related patent filing.

REJECTION UNDER 35 U.S.C. § 103

Claims 4, 21, 22, and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasami in view of Okawa (U.S. Pat. No. 6,842,442 B2; "Okawa"). Claims 7, 8, 10, 14, 17, 23, 25, and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasami in view of Chang et al. (U.S. Pub. No. 2004/0114506 A1; "Chang"). Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasami in view of Okawa and further in view of Miyoshi et al. (U.S. Pub. No. 2003/0022629 A1; "Miyoshi"). Applicant has cancelled claims 4, 5, 7, 8, 10, 14, 17, and 21-26, thereby rendering the rejection moot as to these claims.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 11 and 12 are allowed, and claims 15 and 16 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. 112, second paragraph. Applicant has made the appropriate corrections to claims 15 and 16 as noted above. Therefore, claims 15 and 16 should now be in condition for allowance.

NEW CLAIMS

Claims 28-39 are added to the application. These claims include allowable subject matter from either claim 11, 12, 15 or 16 and therefore should be in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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